

# THE INDYPENDENT

Issue #136, June 5 – 25, 2009  
A FREE PAPER FOR FREE PEOPLE

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COURTHOUSE  
REBEL, P14

APPALACHIAN  
APOCALYPSE, P8

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*The Indypendent* is a New York-based free newspaper published 17 times a year on Fridays to our print and online readership of more than 100,000. The newspaper is a labor of love by a network of volunteers who do all of the reporting, writing, photography, illustration, editing, designing, distribution, fundraising and website management. Since 2000, more than 600 citizen journalists, artists and media activists have contributed their energy to this project. Winner of dozens of New York Community Media Alliance awards, *The Indypendent* is dedicated to empowering people to create a true alternative to the corporate press by encouraging people to produce their own media. *The Indypendent* is funded by subscriptions, donations, grants, merchandise sales, benefits and advertising from organizations with similar missions. We accept submissions that look at news and culture through a critical lens, exploring how systems of power — economic, political and social — affect the lives of ordinary people locally and globally. *The Indypendent* reserves the right to edit articles for length, content and clarity.

*The Indypendent* is the newspaper project of the New York City Independent Media Center, which is affiliated with the global Indymedia movement (indymedia.org), an international network that is dedicated to fostering grassroots media production. NYC IMC sponsors three other volunteer projects: the children's newspaper *IndyKids*, the *IndyVideo* news team and the NYC IMC open publishing website (nyc.indymedia.org).

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## community calendar

PLEASE SEND EVENT ANNOUNCEMENTS TO INDYEVENTS@GMAIL.COM.

### WED JUNE 10

6:30pm-8:30pm • FREE  
READING: "A WORLD I LOVED: THE STORY OF AN ARAB WOMAN." Wadad Makdisi Cortas' memoir, read by the late author's daughter and granddaughter, offers an empowered, feminist view of the 20th century Middle East. Alwan for the Arts, 16 Beaver St 4th Fl info@alwanforthearts.org 646-732-3261

### THU JUNE 11

7pm • FREE  
LECTURE: DAVE DELLINGER ON NONVIOLENCE. Author Nicholson Baker discusses pacifism and debates whether the killing of civilians is ever justified. Judson Memorial Church, 55 Washington Square South nycwrl@worldnet.att.net • 718-768-7306

### FRI JUNE 12

7pm • \$20-\$100 Sliding Scale  
LECTURE: "CRISIS & HOPE: THEIRS & OURS." Noam Chomsky discusses a variety of issues, including the economic crisis, U.S. military intervention, leftist movements and Obama's election in this benefit for the Brecht Forum. Riverside Church, 91 Claremont Ave brechtforum.org • 212-242-4201

### FRI-SAT JUNE 12-13

8am-8am • FREE  
24-HOUR VIGIL: FOR THE DOMESTIC WORKERS BILL OF RIGHTS. Show support for the Domestic Workers Bill of Rights, which would ensure overtime, job security, respect and recognition for domestic workers. City Hall, across from 250 Broadway ajendwu@gmail.com • 212-481-5747

### SAT JUNE 13

10am-4pm • \$45-\$85 Sliding Scale  
WORKSHOP: "LOOKING AT INTERNALIZED HOMOPHOBIA." Gail Burton will lead this workshop in which LGBT people can examine internalized homophobia using techniques from the Theater of the Oppressed. Brecht Forum, 451 West St toplab.org • 212-924-1858 toplab@toplab.org

### SUN JUNE 14

6pm • \$6-\$15 Sliding Scale  
WORKSHOP: PERENNIAL VEGETABLES WORKSHOP/CHARLA DE VEGETALES PERENNES. This bilingual workshop, in English and Spanish, covers perennial

vegetable production, design ideas and plant species, which can help attendees grow and enjoy their own vegetables. Brecht Forum, 451 West St brechtforum.org • 212-242-4201

### SUN JUNE 14

11am, 12:30pm, 1pm • FREE  
FILM/DISCUSSION: "CHILDREN BEHIND BARS IN AMERICA." Watch and discuss a documentary about a family detention center in Texas, where infants and children are imprisoned with their immigrant parents. Brooklyn Society for Ethical Culture, 53 Prospect Park West bsec.org • 718-768-2972

### MON JUNE 15

7pm • FREE  
DISCUSSION: THE WAR EXPANDS: OBAMA AND THE SOUTH ASIAN CONTEXT. David Barsamian, founder of Alternative Radio, and Saroj Giri critically examine U.S. involvement on the Afghanistan-Pakistan border and the socioeconomic implications. Alwan for the Arts, 16 Beaver St, 4th Fl info@alwanforthearts.org 646-732-3261

### WED JUNE 17

6:30pm • \$11  
FILM: "REMNANTS OF A WAR." Part of the Human Rights Watch International Film Festival, Jawad Metni's film chronicles the dangerous work of men and women who are removing undetonated cluster bomb munitions from south Lebanon in the wake of the 2006 war between Hezbollah and Israel. Walter Reade Theater at Lincoln Center, 165 W 65th St, Upper Level ticketing@filmlinc.com • 212-875-5601

### THU JUNE 18

6pm • FREE, RSVP REQUIRED  
FILM: GLOBAL ACTION PROJECT YEAR-END CELEBRATION. Watch films by young people dealing with topics such as social change, immigration, education, social services and discrimination. New School, Tishman Auditorium, 66 W 12th St global-action.org • 212-594-9577

### WED JUNE 17 – SUN JUNE 21

1pm • \$10  
FILM: BICYCLE FILM FESTIVAL will feature a variety of stories and media through which people can observe and learn about others and their passions



WORKSHOP: Occupation 101 begins June 22 (see calendar).

for bikes. A variety of film, art and music will be presented. Anthology Film Archives, 32 2nd Ave nick@bicyclefilmfestival.com 212-255-6102

### SAT JUNE 20

7pm-9pm • \$10  
EVENT: A DDDDDDDDD'S OPERA. This fresh new experimental opera features screaming songs, infomercials, random languages and electronic toys combined to create 9D's; an opera about the everyday excesses of our lives. The Tank, 354 W 45 St 212-563-6269 • thetanknyc.org

### MON JUNE 22 – MON AUG. 31

7:30pm • FREE  
STUDY GROUP: OCCUPATION 101. This study group will discuss the history of the Israeli state and the resistance of the Palestinian people. Freedom Hall, 113 W 128th St 212-222-0633 • fsp@nyct.net

### FRI JUNE 26

7:30pm • \$3  
DISCUSSION: RADICAL WOMEN. Led by Jennifer Camper, a cartoonist who explores gender, race and class from an LGBT and Arab-American view. All proceeds will benefit Radical Women Fund Drive; childcare is provided.

Dinner served at 6:30pm, \$8 donation Freedom Hall, 113 W 128th St. 646-489-6529 nycradicalwomen@nyct.net

### SAT JUNE 27

1pm • FREE  
EVENT: STOLEN LIVES. The October 22 Coalition to Stop Police Brutality is hosting the Stolen Lives Induction Ceremony to honor the lives of men and women victims of police violence. Reception at 1pm, Ceremony at 2pm Pratt Manhattan, Room 213 144 W 14th St 1-888-NOBRUTALITY • october22.org

### SUN JUNE 28

12pm • FREE  
MARCH: NYC HERITAGE OF PRIDE MONTH. This march is to commemorate the events of the Stonewall riots in 1970 and also to draw attention to the struggle of AIDS and honor those lost. In recent years the march has focused on celebrating LGBT lives and the community as a whole. Registration required to march. Moment of Silence at 2pm From 5th Ave & 52nd St to Christopher & Greenwich St NYCpride.org/march.html 212-80-PRIDE

## READER COMMENTS

### HOMELESSNESS HOPELESS

Response to "For a Woman on the 6 Train," May 15:

Homelessness is up — dramatically — despite Mayor Bloomberg's claim that he would reduce it by at least 30 percent. New York City's Department of Homeless Services is hopelessly dysfunctional and wrong-headed in its plans to close homeless shelters, cut back hours at (or eliminate) drop-in centers and particularly in eliminating faith-based beds. The local, national and global economic crisis is almost certainly creating more homeless people and will continue to do so. And tragically, the political will to truly tackle the homeless situation is simply not there.

—REV. IAN ALTERMAN

### SEXUAL CONDITIONING

Response to "The Uncelebrated Beauty of Men's Sexuality," May 15:

Men and women are conditioned to view sex in different ways. It wasn't so long ago when women were not expected to enjoy sex at all. They were famously instructed to "lie back and think of England." Society now allows women to be sexual beings, but only when it is integrated into our emotions. We are allowed to "make love." In contrast, men are required to divorce sex from emotion and regarded as less masculine if they cannot. I would suggest that both men and women suffer as a result of these limited sex roles. I see the sex industry

in its current form as a product of the damaging sex roles predominant in our broken society. The solution is a world in which both men and women can enjoy sex and pleasure in any way they freely choose, without the restrictive baggage.

—CATHERINE BROWN

### THIRD TERM THEFT

Response to "Bill the Billionaire," May 15:

If you're talking about Bloomberg as a plutocrat, why didn't you mention his third world nation theft of the electorate's power by canceling term limits, a measure that was passed by public referendum? That self-anointing, authoritarian action was proof enough of

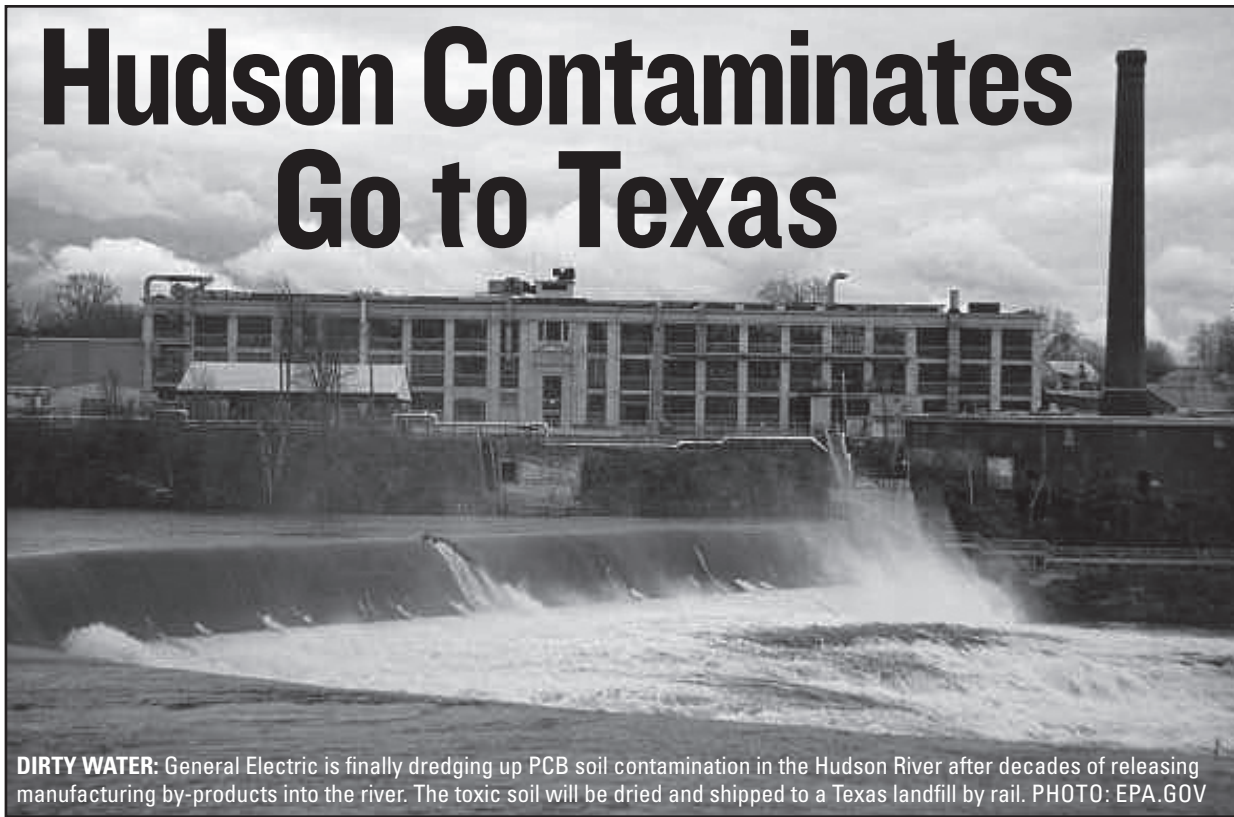
what Bloomberg actually is. And he would only have tried that in the general atmosphere of dictatorship created by the Bush administration. Bloomberg knew that the public and the media had been conditioned to accept that when it came to abridging America's democratic institutions, under Bush anything could be done. Cynical and self-serving like Bush, Cheney and their whole D.C. team, Bloomberg has turned New York City over to his chums, the real estate and Wall Street elite. His attitude? If you don't like it, get out.

—JAY LEWIS

Put your own comment online at the end of each article or email letters@indypendent.org.



# Hudson Contaminates Go to Texas



**DIRTY WATER:** General Electric is finally dredging up PCB soil contamination in the Hudson River after decades of releasing manufacturing by-products into the river. The toxic soil will be dried and shipped to a Texas landfill by rail. PHOTO: EPA.GOV

BY MIKE BURKE

Peggy Pryor has never seen the Hudson River. For the past 56 years she has lived 2,000 miles away in the west Texas town of Andrews, on the New Mexico border. Soon, however, part of the Hudson River will be arriving in her town in the form of PCB-contaminated soil dredged by General Electric from the riverbed.

In the coming weeks, an 81-car train filled with dried PCB-contaminated sediment is expected to leave New York bound for a hazardous waste dump in Andrews. The route has not been released by GE. Trains filled with waste will continue to arrive in Andrews for the next six years as GE undertakes one of the nation's largest environmental cleanup projects. Between 1947 and 1977, GE discharged an estimated 1.3 million pounds of polychlorinated biphenyls (PCBs) into the river.

The Hudson River cleanup plan, which took years to develop and has been approved by the U.S. Environmental Protection Agency (EPA), has alarmed Pryor and several environmental groups in Texas.

"If you got a problem, solve it in your own town," Pryor said. "Don't create another one by bringing it here. It is crazy. You are just contaminating another place. We have enough oil contamination down here."

Neil Carman, a chemist with the Lone Star Chapter of the Sierra Club, has questioned the EPA's plan and the safety of shipping the waste to Texas by rail.

"Obviously this material needs to be removed from the Hudson River, but the alternative treatment technologies are very effective today and there is no reason in the world that General Electric should be transporting all of this material 2,000 miles," Carman said. "They should be treating it up there."

The EPA considered such alternative treatment technologies, but in 2002 the agency opted for the plan to dispose of the contaminated waste at a landfill in part because of the projected costs.

"Treatment technologies such as thermal desorption were technically feasible, but would cost substantially more than off-site disposal," said Kristen Skopeck, EPA public affairs specialist in Hudson Falls, N.Y.

New York environmentalists have been campaigning since the 1970s to force GE to clean up the Hudson, especially around Hudson Falls and Fort Edward, N.Y., the site of two large GE manufacturing plants. In 1984 the EPA declared a 200-mile stretch of the river to be a Superfund site — a designation given to the nation's most toxic sites. Due to years of challenges and delays, dredging did not begin until May 15.

*Continued on page 11*

## 'Peace Pentagon' Faces Uncertain Future

BY ALEX KANE

Maria Byck, a staffer at the media collective Paper Tiger TV, sits in a cluttered office surrounded by computers, videos, and social justice posters, explaining what 339 Lafayette St. means to her.

"The building is an amazing gift to the social justice movement. To me, the building represents potential, the potential to really create a community that reaches out and brings people in, and inspires people and educates people," Byck says. "[People here] have done incredible work that has influenced the world."

Being able to pay below-market rates in the aging three-story, 9,000-square-foot building has allowed Paper Tiger TV to survive in the high-end NoHo district in Manhattan. The A.J. Muste Institute, named after legendary pacifist and labor activist Abraham Johannes Muste, is the owner of what has come to be known as the "Peace Pentagon." Besides Paper Tiger, the building's tenants include the War Resisters League, Metropolitan Council on Housing, the Socialist Party, Deep Dish TV, the Nicaragua Solidarity Network and the Libertarian Book Club.

However, the Peace Pentagon's owners and tenants have reached a critical crossroads since the 2007 discovery that the building has major structural problems including a sagging support column that could require costly repairs or force them to sell the building and look for a new home.

"You have all kinds of shifts and changes that occur in an old building, and they have come home to roost," said David McReynolds, a 79-year-old peace activist who sits on the Muste Institute's board.

*Continued on page 11*



**BUILDING BLUES:** Jane Guskin (left) and Jeanne Strole, the executive directors of the A.J. Muste Institute (right), stand in their office at the "Peace Pentagon." PHOTO: THOMAS MARCZEWSKI



**NEW TEAM:** WBAI-99.5FM's Acting General Manager Lavern Williams (center) with Operations Director Shawn Rhodes (left) and Public Affairs Director Kathy Davis. PHOTO: MARK BAILEY

## WBAI Bounces Back

BY JOHN TARLETON

When LaVarn Williams was installed as WBAI-99.5 FM's acting general manager May 7, she took over a community radio station reeling from more than \$1.1 million in debt and seemingly exhausted by years of mismanagement and factional infighting. Four weeks later, Williams was ebullient after the station's spring fund drive surpassed all expectations.

"This is a renaissance. This is a rebirth but it has to be sustained," Williams said. "All the naysayers said it wouldn't happen, but it did."

The May 4 to May 30 fund drive took in \$837,000 in pledges: \$292,000 more than the station garnered during another 27-day fund drive in February and \$165,000 more than its originally budgeted goal.

The \$31,000 per day in pledges marked a 54 percent increase over the left-leaning station's daily pledge rate during the February drive and a 29 percent increase over the average daily pledge rate during the station's four major fund drives since the beginning of 2008.

"It's a prime example that management matters," said Jamie Ross, a member of WBAI's listener- and staff-elected Local Station Board (LSB), which oversees the station. Ross was among the majority of LSB members who supported the recent replacement of former General Manager Tony Riddle, as well as longtime Program Director Bernard White.

Williams, who hails from near Berkeley, Calif., was tapped for her current position by WBAI's parent Pacifica Foundation, which had become increasingly alarmed by WBAI's financial woes. Pacifica also holds the licenses for high-powered progressive radio stations in Los Angeles, Houston, the San Francisco Bay Area and Washington, D.C. Williams was joined by Tony Bates, the former fund drive supervisor at Pacifica's Los Angeles station. She credits Bates with helping programmers improve their on-air pitching and developing more attractive premiums.

"Within a week, the staff saw the benefits," Williams said. "They realized they needed to adopt the pitches and the methods he uses on-air. He was the catalyst in turning things around." Williams said that Bates will take over as program director June 8.

Williams said her next goal was to make sure premiums promised during the fund drive are mailed out promptly to donors, something WBAI has struggled with in recent years. She's also looking to shake up the station's programming.

For starters, *Democracy Now!*, WBAI's most popular program, will move up an hour and air live at 8 a.m. Williams is also considering bringing back controversial health guru Gary Null.

### WBAI NOTES:

—LSB elections are later this summer. Listeners who donate a minimum of \$25 or three hours of volunteer labor are eligible to vote. Deadline for becoming an eligible voter in this year's elections is June 30.

—Supporters of WBAI's ousted management are holding a protest at the station June 17 at 5 p.m. For more information, see [takebackwbai.org](http://takebackwbai.org). To check out WBAI, go to 99.5 FM or see [wbai.org](http://wbai.org).



MTA HISTORY

1904

The first underground subway opens in New York City. They were private ventures by two companies: the Interborough Rapid Transit Company (IRT) and the Brooklyn Rapid Transit Company, which later became the Brooklyn-Manhattan Transit Corporation (BMT). After 1913, New York City built or improved most of the lines and leased them to private companies for profit.

1921

Mayor John Hylan forms the New York City Transit Commission (the forerunner of the modern transit system) with aspirations of building a city-owned and -operated subway line.

1932

The city opens its first publicly owned subway, the Independent Subway System (IND).

1934

NYC transit workers organize and form the Transport Workers Union (TWU) under the leadership of Michael Quill. The TWU would later expand to represent transit employees in other cities, primarily in the Eastern United States.



1940

With the private lines reeling from the Great Depression, the city acquires both the IRT and BMT subways and begins to integrate them into the public system administered by the city's Board of Transportation.

1940s–50s

Robert Moses successfully alters the legal structure of public authorities. They become state bureaucracies with the same privacy rights as corporations, along with the rights to raise their own police force and evict people under eminent domain.

Why the MTA Is Broken

Reported by Danny Valdes and written by Arun Gupta and Danny Valdes

The next time you purchase a monthly Metrocard, which is slated to increase to \$89 at the end of June, think about this: Almost one-third of the money you spend — about \$29 — will go to service the Metropolitan Transportation Authority's massive \$26.8 billion debt.

This simple fact indicates why the Metropolitan Transportation Authority (MTA) is in perpetual crisis. The MTA will spend nearly \$1.5 billion to service debt in 2009, and it projects debt servicing will swallow up an average of more than \$2 billion a year from 2010 to 2012.

Wiley Norvell, communications director for Transportation Alternatives, says the reason for this debt load, reportedly the fifth largest of any state or local government body in the United States, is because the MTA pays for improvements “on a credit card.” Norvell explains that “the city and state have stopped contributing to the capital construction,” leaving borrowing as the main source of funds for new transit projects.

The MTA breaks down expenditures into operating and capital. The capital budget pays for expanding and building subway lines and stations, purchasing new subway cars and buses, maintaining signals and communications and related activities. The operating budget includes

salaries, health and pension benefits, fuel and electricity and cleaning trains and stations.

John Petro, urban policy analyst at the Drum Major Institute for Public Policy, wrote in a recent report that while New York City and State funded 30 percent of the MTA's capital budget in the mid-1980s, by 2004 that support had declined to just 3 percent.

Petro argues that for more than 20 years, “the city and state abdicated responsibility to fund capital programs, forcing the MTA to borrow huge sums to maintain mass transit service. ... as huge debt payments eat up larger portions of the authority's operating budget, the MTA is facing ever-larger budget deficits.”

Because the city and state provide so little capital funding, the MTA issues bonds to fund new projects. To make the bond payments, it uses revenue from both taxes and the fare box — money that would normally be part of its operating budget.

“The capital program is more linked to the operations budget than most people realize,” Norvell says. “We're one of the only transit systems in the country that pays for debt right out of the fare box.” (The fare box includes money from the various rail, subway and bus services run by the MTA.)

That fare box is shrinking because of the severe U.S. economic downturn. In a press release dated April 27, the MTA predicted “increasing unemployment and higher fares” would lead to a “7.2 percent drop in usage of its facilities in 2009.” It noted that even after approved fare and toll increases, it expected revenue from these sources to fall by an additional \$221 million this year.

But this shortfall pales in comparison to plunging real estate transaction taxes, which are a major source of income for the MTA. The collapse of the real estate bubble has virtually wiped out this source of funds. In

2007, the MTA raked in \$1.6 billion from real estate transaction taxes. Last year, it collected only \$995 million, however. According to an MTA press release dated April 27, projected real estate tax revenue will plummet to \$544 million in 2009. But even this looks optimistic. According to an MTA spokesperson, the authority took in a paltry \$161 million from the real estate transaction tax through the first five months of 2009.

Norman Brown, legislative director of the New York State Council of Machinists and a nonvoting member of the MTA board, argues that the MTA is overly dependent on revenue generated by the real estate industry.

“Real estate is to New York what oil is to Houston,” says Brown. “For years, the real estate people have been paying the bulk of the operating budget without a word of complaint because the capital construction it generated served their interests.”

DOOMSDAY

Earlier this year, the MTA reported that it was facing a \$1.8 billion budget deficit for 2009 due to declining revenue. To close the gap, the MTA warned of a “doomsday scenario” involving fare hikes of 23 percent and drastic service cuts that would eliminate two subway and 35 bus lines.

In May, Gov. David Paterson and the state legislature agreed to raise \$2.26 billion, mainly from an increase in payroll taxes, to prevent the doomsday scenario. As part of the deal, \$400 million a year will go to fund the MTA's capital projects.

But the agreement mandated a 10 percent fare increase to go into effect June 28, and two more fare hikes of 7.5 percent each for 2011 and 2013. Since 2003, the price of a single subway or bus ride has leaped 50 percent to \$2.25.

Additionally, a proposal to institute tolls on the East River bridges that could have generated an additional \$600 million a year was killed by the state legislature.

The announcement from Albany may have been a relief to straphangers, but many observers say New Yorkers are still faced with a transit system teetering on a financial precipice and beholden to powerful corporate interests.

840 MILES

New York State's MTA is the largest provider of mass transit in the Western Hemisphere. It includes more than 840 miles of subway tracks in

New York City; two major commuter rail lines, the Long Island Railroad and Metro-North Railroad; seven bridges and two tunnels; and approximately 380 bus lines. It serves 8.5 million riders and more than 800,000 vehicles on an average weekday.

The number of riders who use the New York City transit system today is barely at the level of the 1940s when more than 8 million rides were recorded per day. By the 1970s, after decades of neglect, the subway became a symbol of the defunding of New York. Breakdowns, derailments and even collisions became commonplace.

Starting in 1981, the MTA issued its first bonds, totaling \$350 million, to repair and upgrade the system. The subways were improved significantly by the early 1990s, but the state completely eliminated its funding for capital projects by 1992. Consequently, the MTA's outstanding debt reached \$12 billion by 2000.

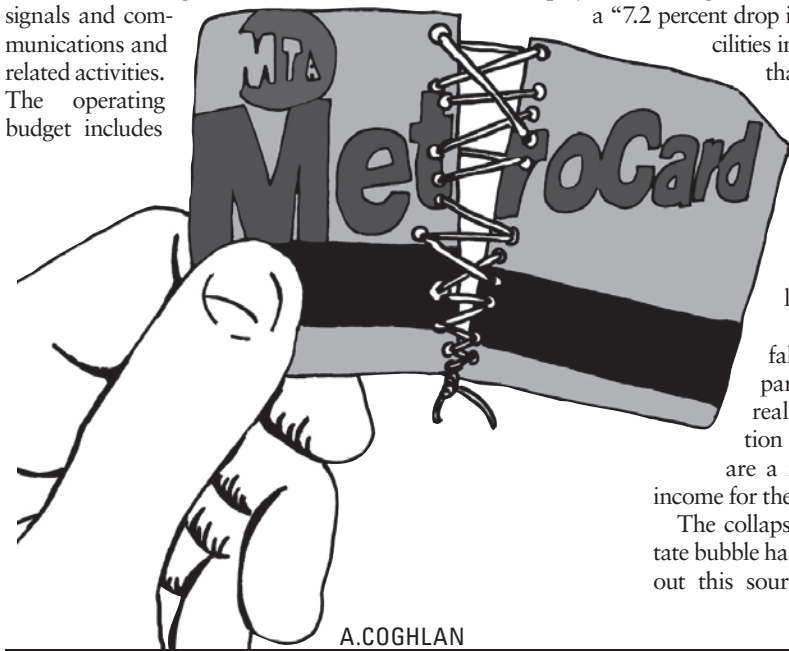
Many analysts point a finger at former Gov. George Pataki, who served from 1995 to 2006, as the culprit for the MTA's current woes. According to the Room Eight blog, it was the Pataki administration that decided that “suburban MTA tax revenues would go to suburban roads in places like Rockland County, not the MTA. Later, more of these ‘dedicated’ taxes paid by people downstate were paid to transit agencies in upstate New York.”

DEBT EXPLOSION

Under Pataki, the MTA debt exploded. According to *The New York Times*, a deal to refinance the \$12 billion debt — “recommended and structured by the former Wall Street investment giant Bear Stearns” — was enacted in 2002. (Bear Stearns reportedly walked away with \$100 million in fees.) Critics blasted the deal. While the MTA realized short-term savings, it extended debt that would have been paid off in 2015 by another 17 years.

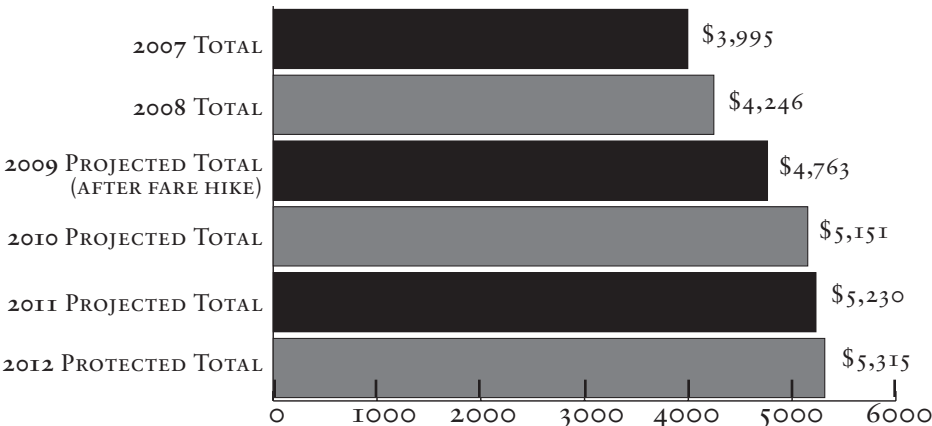
Another problem with the debt-driven financing, claims Norvell of Transportation Alternatives, is that capital funds aren't just paying for “glamour projects” like the new Second Avenue subway line. They are also paying for “signal maintenance, replacing old subway cars — things that are necessary for the system to continue running efficiently.”

Charles Komanoff, an energy-policy analyst, transport economist and environmental activist,



A. COGHLAN

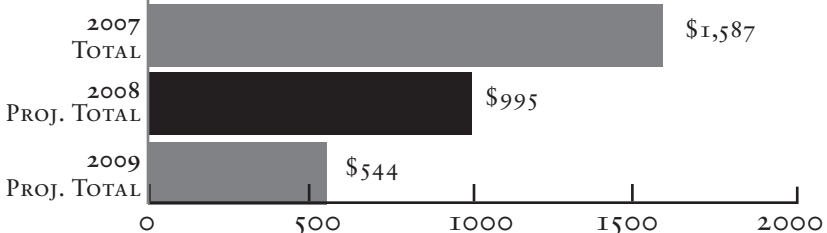
MTA REVENUE  
FARE BOX (IN MILLIONS)



A GLANCE AT THE COFFERS

Source: mta.info; MTA press office

REAL ESTATE TRANSACTION TAX REVENUE  
(IN MILLIONS)



1953

The New York City Transit Authority (NYCTA), a public benefit corporation, is created and charged with administering the city’s transit system “for the convenience and safety of the public.”



1966

NYCTA workers strike after the expiration of their contracts and win a dollar-per-hour increase, an additional paid holiday and increased pension benefits. In response, state legislators pass the Public Employees Fair Employment Act (more commonly known as the Taylor Law), rescinding public employees’ right to strike.

1968

The NYCTA is placed under the control of the newly formed Metropolitan Commuter Transportation Authority (MTA), responsible for administering transportation throughout the state of New York. Known today as the Metropolitan Transportation Authority, it covers nearly every aspect of transportation — both mass transit and road construction — for the New York metropolitan area, including all five boroughs of New York City and its seven surrounding suburban counties.

2005

The 33,000 members of TWU Local 100 stage a three-day strike to fight MTA attempts to institute a two-tier pension system and to saddle workers with increasing healthcare and pension expenses.



—DANNY VALDES

is one of many who think the MTA’s financial crisis is inseparable from problems with its governing structure. “The issue of governance is really important and no one is talking about it.”

A 17-member board of directors oversees the MTA. Each member is nominated by the governor and approved by the New York State Senate. Thirteen members each cast a single vote, and the remaining four, representing upstate counties, cast one collective vote. There also are six nonvoting seats held by representatives of organized labor and the Permanent Citizens Advisory Committee, which was created to give voice to transit users. The board’s powers include approving budgets, labor contracts, fare hikes and service cuts.

POWER TO THE PRIVILEGED

Komanoff claims few if any of the voting board members are representative of mass transit users. “These people are part of the permanent government. They are, for the most part, rich people, connected people. They are connected to wealth, connected to privilege and connected to the automobile, and not connected to the average person in the city.”

“The board is not representative of the riders,” concurs Gene Russianoff, staff attorney and chief spokesman for the New York Public Interest Research Group’s Straphangers Campaign, which advocates for subway riders. “Latinos and African-Americans are also extremely under-represented.”

Russianoff calls it “galling” that board members receive free E-ZPasses to pay bridge, tunnel and highway tolls while “you have to pull teeth to get them to use the [transit] system.” He adds, “The fact that the last two chairs of the MTA have been political fundraisers and well-off developers makes me very, very nervous.”

Discussing the MTA board invariably brings up charges of corruption and patronage. Russianoff says Pataki “appointed very well-off people who raised contributions for him,” such as former MTA Chairman E. Virgil Conway.

Writing in *The Nation* in December 2005, Robert Fitch described Pataki’s MTA as thronged with “investment bankers seeking no-bid bond business, developers angling for bargain properties, landlords who want the MTA as a generous tenant, [and] mobbed-up contractors seeking construction business...”

During Pataki’s successful run for a third term from 2003 to 2006, eight MTA board members contributed \$135,760 to his campaign.

The year he was appointed, former MTA Chair and real estate mogul Peter Kalikow and his wife reportedly donated \$80,000 to Pataki. Meanwhile, Fitch revealed, Kalikow’s “flagship tower at 101 Park Avenue” rented space to at least three different firms and lobbyists that did business with the MTA.

“It brings up the issue of patronage in a big way,” Russianoff says, “especially when it comes to the position of chairman. A huge percentage of what a board does is determined by its chair.”

This trend continued with former Gov. Eliot Spitzer. In 2007, he nominated current MTA Chair H. Dale Hemmerdinger, who is president of a real estate firm that owns and manages more than 2 million square feet of space. Hemmerdinger’s wife reportedly donated \$40,000 to Spitzer, and his family is a major donor to and fundraiser for the Democratic Party. (According to campaign contribution data, Hemmerdinger also donated \$1,000 to a Republican congressional candidate in December 2007 — current MTA Vice Chairman Andrew M. Saul.)

Brown is critical of the fact that the “board is almost entirely a holdover from Pataki’s administration. If you look at all the people who were recommended by the governor, there are only a few people appointed that weren’t appointed by Pataki.”

While wealthy developers and fundraisers are appointed to powerful positions on the board, six nonvoting board members represent the Transport Workers Union, the United Transportation Union and the Metro-North Railroad Unions, as well as commuter advocacy councils and organizations.

“Clearly they should have a vote,” Russianoff says. “Otherwise they’re a little like the corpse at the wake.”

“All we have are eyes and ears,” says Brown of the Council of Machinists. “We make sure the commuters or the union reps are not being blindsided by the decisions the authority makes. Since we can’t vote, we just go and listen.”



PHOTO: ALEX NATHANSON

GETTING THE MTA BACK ON TRACK

MTA board members and observers alike say getting the MTA’s finances in order is a necessary part of the solution. At a recent finance committee meeting, nonvoting board members Norman Brown, legislative director of the New York State Council of Machinists, and Ed Watt of the Transport Workers Union moved that the board reconsider its position on Federal Transit Operating Aid.

As of now, all federal aid to the MTA must be applied to the capital budget. This is unacceptable to Brown. “It prejudices the system against operating funds,” he says. “If you’re in an ass-kicking contest, you want two legs. Refusing that money debilitates the system and the MTA politically. By limiting the solutions available, the MTA is really forcing future riders and stakeholders to pick up the cost of past capital debts.”

Brown argues there are several ways to incorporate federal dollars into the operating budget. “You could create a situation where the feds would match local operation money dollar for dollar. Or you could do something where the fed pays for operating money that already goes to capital projects, or operating dollars that are used to pay debt service. The options are out there.”

A study by the Drum Major Institute for

Public Policy on the MTA budget crisis disclosed that in 2009 the MTA received just 8 percent of its revenue from state and city subsidies.

Wiley Norvell of Transportation Alternatives adds, “We need more recession-proof revenue for the MTA.” His organization supports using congestion pricing on vehicle traffic and implementing East River bridge tolls as a source of revenue for the MTA.

These options, says Norvell, “are the great untapped revenue stream for the MTA. We’re talking hundreds of millions that could expand service and provide funding for the capital program.”

Paul White, executive director of Transportation Alternatives, argues the MTA can no longer continue pushing its debt on the backs of riders. “Transit riders in New York already pay a greater share of the ride than any other transit system in the nation,” he said.

According to a Straphangers Campaign report, “About half the cost of running the Metropolitan Transportation Authority is covered by fares. That currently is about \$4.2 billion, or some 52 percent of operating costs,” versus a national average of 32 percent.

—DANNY VALDES

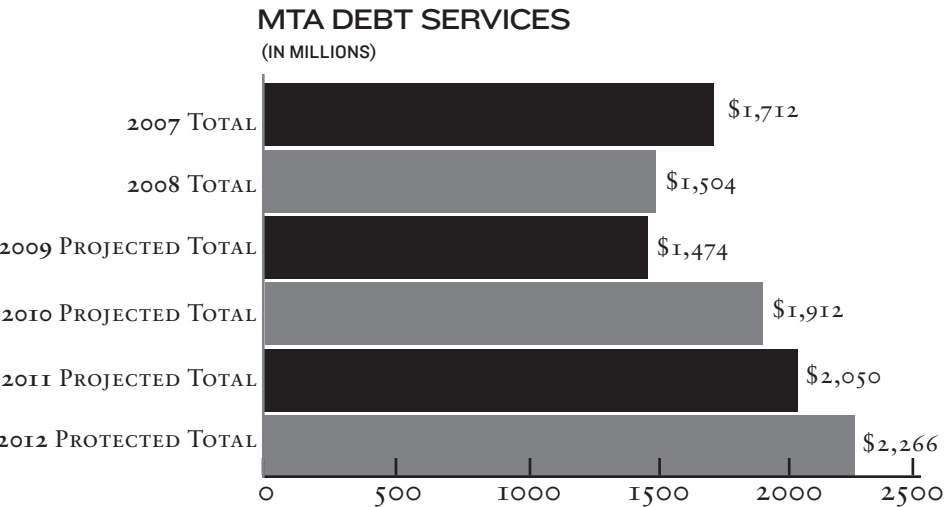
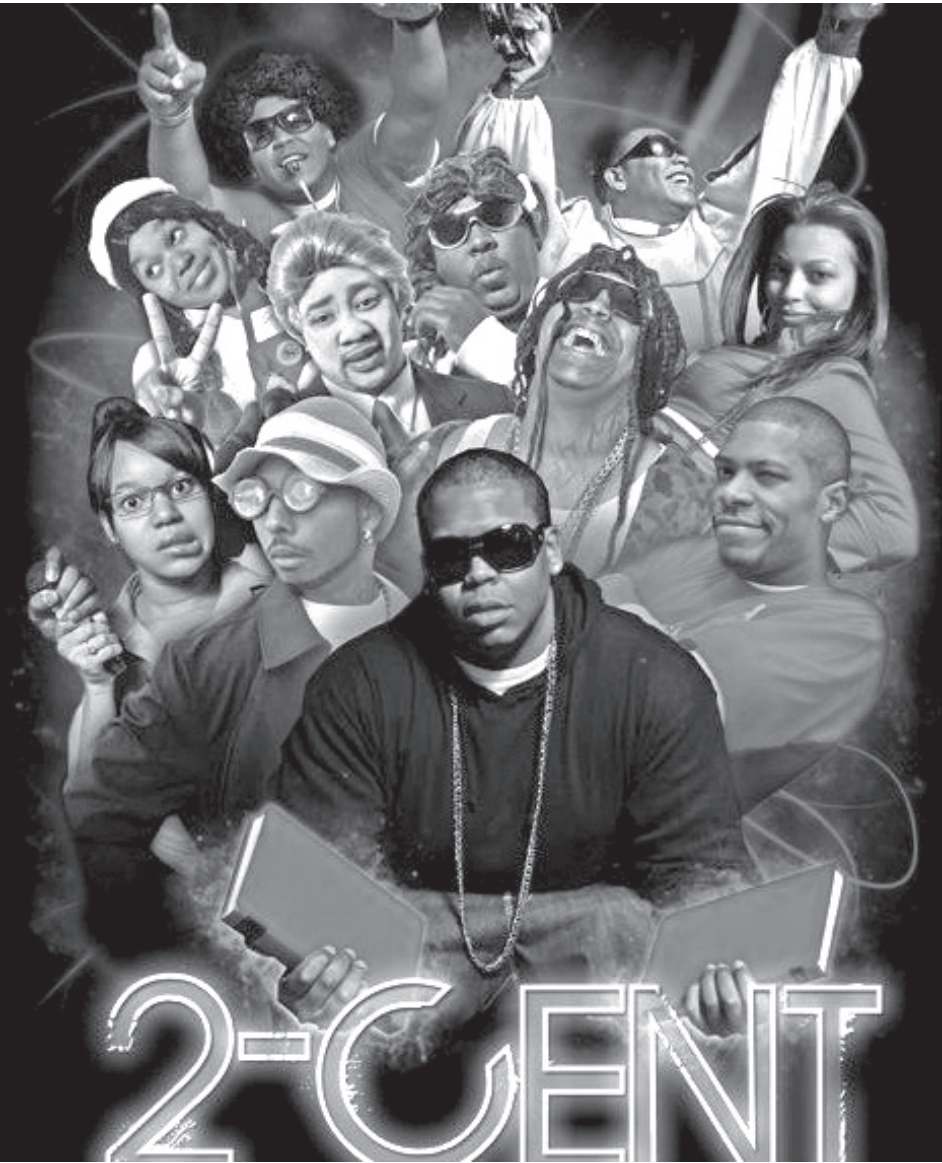


PHOTO: ALEX NATHANSON



# The Revolution Will Be YouTubed



By JORDAN FLAHERTY

The video grabs your attention immediately. Young people in New Orleans’ Lower Ninth Ward hold up signs that read: “looter,” “we’re still here,” and “America did this.” Amid empty lots and damaged houses, poet Nik Richard delivers this message: “Hurricane Katrina was the biggest national disaster to hit American soil, and nearly two years later, this area is still devastated. But you know what? We made sure we preserved it strictly for your tourism. For about \$75, you can take one of these many tour buses.” Tourists drive by and people with cameras gawk. Richard looks directly at the camera and says, “It looks like there’s more money to be paid in devastation than regeneration. If y’all keep paying your money to see it, should we rebuild it?”

The short film *New Orleans For Sale* was made by 2-Cent Entertainment, a group of young Black media makers in New Orleans. The group, which currently has 10 members, made *New Orleans for Sale* to convey the frustration felt by many New Orleanians as the city has become a national spectacle and a backdrop for countless national politicians — while the aid the city needs to rebuild still hasn’t arrived. In 2008, the film won several awards including an NAACP Image Award in the Film Your Issue competition. In New Orleans, they’ve also collaborated with the People’s Hurricane Relief Fund, produced shows on local television and radio stations, and created mix CDs and scores of short videos. Beyond creating inspiring programming, 2-Cent members also seek to pass their skills onto the next generation, and have taught and presented their work in New Orleans high schools and colleges.

“In this age we have a whole new range of weapons, and we’re trying to use those weapons. I think Martin Luther King, Jr. would want to be on YouTube.”

“Huey Newton said the young people always inherit the revolution,” says Brandon “B-Mike” Odums, 2-Cent’s founder. “And that’s what 2-Cent is, it’s how our generation responded to that call.”

POSITIVE IMAGES

The collective formed in 2004, when Odums gathered a group of friends (most of them fellow students at the University of New Orleans) to produce a TV show with a message. “A lot of TV promotes a monolithic way of thinking, saying there’s only one way to be, or promoting ignorance as cool,” Odums says. “We say it’s hot to stand up for yourself and speak for yourself.” The group was still newly formed when Hurricane Katrina devastated New Orleans, and in the aftermath of the storm, with 2-Cent members spread across the United States, they nearly disbanded. “Katrina made us realize that this is what we want to do,” Odums says. “We’d done two episodes before the storm. Everybody was scattered. We had to decide if this is something we really want to do. Katrina forced us to make the decision.”

The collective briefly relocated to Atlanta, then made the decision together to return to New Orleans. Kevin Griffin, another of the founding members of 2-Cent, joined because he shares Odum’s desire to change the images and messages delivered to today’s youth. “We were seeing the images that BET and others were putting out,” Griffin says. “And we wanted to do something different, more positive.” Griffin is not just a media activist; he is also one of the leaders of a citywide movement spearheaded by the Juvenile Justice Project of Louisiana, an organization whose mission is to close the Youth Study Center, the city’s youth prison. The group has led campaigns to shut down other youth prisons around the state, including the notorious youth prison in Tallulah, La. They are also working to create more options for young people beyond jail. For Griffin, these struggles have personal meaning. “At the age of 10, I was sent to the Youth Study Center,” Griffin says. “A year later I was moved to Tallulah, which was known as the worst youth prison in the

country. I was 11. The next youngest person was 17, so I was a child among adults. And I was there for five years.” Griffin now works full-time at WBOK, a Black-owned talk radio station (“Real Talk for Real Times”). Art also runs in his family. His cousin Mannie Fresh, the music impresario of New Orleans’ Cash Money record label, produced much of the music that made New Orleans hip hop famous.

HUMOR AND STYLE

2-Cent videos are notable for both humor and great production. “We liked a lot of the messages you would see on Public Access TV,” Griffin says. “But we wanted to make something with better production.” This combination of form and content, and a mix of serious and comic, defines the 2-Cent style. “Older folks may try to put out similar ideas,” says Manda B, who writes and acts in many of the group’s videos. “But it’s like they’re preaching. I think we know how to connect with our generation.” These young media activists praise Gil Scott-Heron, who said the revolution will not be televised, but for 2-Cent, media is a tool to be taken and used for the mission of social change. “Other generations marched, and we march too,” Odums says. “But in this age we have a whole new range of weapons, and we’re trying to use those weapons. I think Martin Luther King, Jr. would want to be on YouTube, to have his speeches distributed that way. Malcolm X would love to make mixtapes, have those out on the streets. The same reasons they boycotted and had protests in that era are our reasons too. We’re coming from that same mindset, but we’re using new tools, trying to get our inheritance.” After nearly five years together, the group has survived Katrina and all the connected stresses of living in New Orleans during this time, and their bonds have become stronger and closer. When asked what aspect of their work they were most proud of, various 2-Cent members expressed the same sentiment as Manda B, who explained, “For me, the best element of all this is that we’re family.”

Jordan Flaherty is a journalist based in New Orleans and an editor of Left Turn Magazine. This article was originally published at CounterPunch.org May 26.

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# THE PEOPLE'S LAWYER

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**IN HINDSIGHT:** NYPD policies for the 2004 Republican National Convention have led to more than 50 court battles over violations of civil liberties. PHOTO: INDYMEDIA.ORG

By ANN SCHNEIDER

The battle for justice for the more than half-million peaceful protesters of the August 2004 Republican National Convention continues with Mayor Bloomberg's Law Department doing everything it can to delay the day of reckoning.

Five years after activists were illegally spied upon, swept up in mass arrests and held in toxic conditions in a dirty bus barn, the New York Civil Liberties Union and National Lawyers Guild are still fighting to get the full picture of the City's conspiracy to disrupt lawful protest.

More than 50 lawsuits challenging the deprivation of civil liberties are still pending, although 87 protestors have accepted settlements. Of the 1,806 people arrested during the week of the RNC, 90 percent had their charges dropped.

How is the City managing to delay being possibly found liable for damages? Under federal rules of civil procedure, a federal magistrate, not a full lifetime-tenure judge, makes rulings on garden-variety discovery disputes. These decisions have the full force of law, and recourse to a federal judge is available under Rule 72 only if the magistrate's decision is demonstrated to be "clearly erroneous or contrary to law."

So rather than comply with magistrate orders to turn over secret NYPD documents and allow questioning of police officials about their policies in July and August 2004, the City continues to invoke Rule 72. Since the civil rights suits were filed in 2005, the city has invoked Rule 72 at least 10 times. Each time the rule is invoked, it causes delay, sometimes for as much as a year.

Interestingly, in March 2007, while these court battles were raging, someone leaked hundreds of documents marked "NYPD Secret" to the press. The documents detailed how undercover agents were sent to at least 15 places outside New York City 18 months before the RNC for the purpose of spying on activists and identifying "potential terrorists."

The City blamed the civil rights lawyers for the leak. As a result, the deposition of David Cohen, NYPD deputy commissioner for intelligence, came to a halt. His transcript was sealed, and much of it is still under embargo. Ultimately, the city's lawyers backed down and admitted they did not know who leaked the documents. The City

is still resisting further disclosure.

Cohen, a former senior official in the CIA's clandestine services department, was hired in 2002 by NYPD Commissioner Ray Kelly to build a CIA-style intelligence department within the NYPD, which is detailed in Christopher Dickey's 2009 book, *Securing the City*.

Plaintiffs' lawyers contend Cohen "formulated policy through the presentation of distorted intelligence data that culminated in the formulation and adoption of the no-summons and blanket fingerprinting policies," and therefore he should be added as a defendant to the civil rights suits. On Jan. 23, 2008, magistrate Judge James C. Francis granted this request, finding that Cohen "holds a high rank in the NYPD and was therefore in a position to understand and influence policymaking for the RNC." The Magistrate went further, writing, "The record indicates that Commissioner Cohen initiated the RNC surveillance program."

This the Law Department could not abide. The City again invoked Rule 72, arguing that Francis' order was highly prejudicial and "clearly erroneous." Thirteen months later, on Feb. 21, 2009, Judge Richard Sullivan affirmed his Magistrate, saying Francis' decision was "extremely thorough and well-reasoned."

The City did not get the hint, moving to reargue rather than letting the case move toward trial. It got its day in court May 6 when a clearly annoyed Judge Sullivan told the City, "You've presented nothing new. These are arguments you've already made. You're trying for a third swing at the bat ... I find your tone frankly insulting."

One can only speculate why the City is fighting so hard to keep Cohen from being added as a defendant and being forced to testify. As of September 2008, the city had spent \$6.6 million just on lawyer's fees.

Jeffrey Rothman, attorney for several of the plaintiffs, said that he believes the City is dragging its feet in part to avoid damage to the mayor during his re-election campaign or to his political heir-apparent, Ray Kelly.


"It is our hope this litigation will achieve accountability for the NYPD's illegal, dishonest and oppressive practices during the RNC," Rothman said, and "will help to prevent similar abuses by the NYPD in the future."



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## New York Has a Dirty Little Secret

When the marquee signs on Broadway light up, a signal will most likely be sent from the New York Independent System Operator grid to the Lovett coal-fired power plant. The Lovett facility service will shovel in coal that has been strip-mined from West Virginia mountains that have been clear cut and detonated with tons of explosives.

The residents of New York City participate in one of the most egregious environmental and human rights disasters in U.S. history — mountaintop removal mining methods in Appalachia that have literally blown up nearly 500 mountains, wiped out 1.2 million acres of hardwood forests and sullied 2,000 miles of streams with toxic waste. Scores of communities have been depopulated, left in ruin and saddled with unsparing poverty. Relying on heavy machinery and explosives, mountaintop removal operations have also stripped the region of needed jobs.

More than 240,000 tons of coal from mountaintop removal are consumed to produce electricity for New York every year. The energy grid that illuminates New York City includes 13 coal-fired power plants in 11 New York State counties that burn mountaintop removal coal.

For 25 years, the Clean Water Act allowed the U.S. Army Corps of Engineers to grant permits to place “fill material” into waters of the United States, provided that the primary purpose of the “filling” was not for disposing waste. This policy largely prohibited mountaintop removal operations from dumping mining rubble and tailings into streams, and thus limited the scope of practice. The coal lobby, however, had a friend in the White House, and in 2002, George W. Bush allowed the Army Corps to redefine “fill material” to include mining waste. As a result, mountaintop removal mining moved into high gear.

Senator Kirsten Gillibrand (D-NY) is co-sponsoring the Appalachian Restoration Act (S. 696), which would amend the definition of “fill material” in the Federal Water Pollution Control Act and to revise the Surface Mining Control and Reclamation Act to prohibit excess mining waste from being dumped into waters of the United States. The companion bill in the House of Representatives (H.R. 1310) has 23 New York co-sponsors.

New Yorkers also have an alternative to using coal. Easy as flipping a switch, they can purchase electricity directly from renewable wind sources through ConEdison Solutions (see nywind.com).

—JEFF BIGGERS

*This article was adapted from Jeff Biggers' article, "New York is Burning," published on independent.org May 15.*



# Operation Appalachian Spring

PHOTOS AND TEXT  
BY ANTRIM CASKEY

Since the late 1880s, powerful coal mining interests have dominated Appalachia, ravaging the land with underground, strip and contour mining — and the latest method, mountaintop removal. The 1977 Surface Mining Control and Reclamation Act institutionalized mountaintop removal, allowing coal companies to blow apart hundreds of mountains to remove seams of coal. Today, local residents and environmentalists say, “Enough! You’ll have to put me in jail to get at that coal.”

**6. FROM THE HOLLOW TO THE HALLWAYS:** Lifelong Boone County resident Maria Gunnoe attended the U.N. Commission on Sustainable Development with the Appalachian Coalfield Delegation in May 2006 to testify about the negative aspects of coal mining.

Gunnoe's home has been flooded five times since 2000 due to coal mining in the mountains behind her home. Over the years, Gunnoe has faced multiple threats on her life, two of her dogs have been shot and left for dead, sand has been placed in her gas tank, and physical threats have been made against her during community meetings. She was recently awarded the 2009 Goldman Environmental Prize. “The people of Appalachia have sacrificed everything, including their lives, for energy in America. ... We must put a stop to mountaintop removal coal mining and transition to renewable energy to allow us our homeland security and to preserve our rightful place and culture in the mountains.”

**7. APPALACHIAN APOCALYPSE:** On May 15, the Obama administration gave the green light to the U.S. Army Corps of Engineers to issue 42 new mountaintop removal mining permits. Many activists expressed shock, saying that after years of lobbying elected officials, organizing protests and testifying at corporate shareholder and community meetings, they felt there was an opportunity for change. In response, activists are now intensifying Operation Appalachian Spring, a new campaign based on nonviolent direct action. Mike Roselle and James McGuinness halt traffic on the Edwight mountaintop removal site in southern West Virginia Feb. 25. Local residents and dedicated activists from across the nation say they are willing to break minor laws, such as trespassing, in order to prevent what they consider a worse crime — mountaintop removal coal mining. Operation Appalachian Spring is planning more actions in June and is gearing up to train people in nonviolent direct action this summer.

Antrim Caskey is an independent photojournalist currently based in Rock Creek, W. Va., where she is embedded with the group Climate Ground Zero. She has been reporting on the human and environmental costs of mountaintop removal coal mining since May 2005. For more photographs and information, see [climategroundzero.org](http://climategroundzero.org) and [antrim-new.com](http://antrim-new.com).

**1. INSIDE A MOUNTAIN:** Looking down on Kayford Mountain in West Virginia. Patriot Coal Company has blasted apart the mountain to expose coal seams in a process called mountaintop removal mining. A massive earth-moving machine, called a dragline, and large hauling trucks are used to excavate the coal and dump the rubble into hollows and streams below, creating valley fills. This is just one of the nearly 500 mountains leveled throughout Appalachia. Coal is used to generate more than half of the electricity produced in the United States. About 7 percent of U.S. coal production comes from mountaintop mining.

**2. DUST TO DUST:** Sylvia Bradford, 90, wipes her fingers across her TV screen to show how much coal dust accumulates inside her home after two days without dusting. Bradford lives in the remnants of Edwight, West Virginia, a once thriving coal town that, like countless others, has been blasted away by coal mining. She recalls how, many years ago, outside interests “came in here on horseback with cases of liquor and a justice of the peace,” rapidly acquiring rights to coal, timber and natural gas.

**3. THE CONSEQUENCES:** Kenneth Stroud opens the bathtub faucet in his home in Rawl, W. Va., in February 2006. The local water table in Mingo County has been poisoned by decades of underground coal slurry injection. Appalachian communities are deeply tied to the land and consider mountaintop removal mining a direct attack on their culture and way of life. With 2,000 miles of streams buried by crumbled mountains, local water poisoned, mountaintops leveled and some towns in direct threat of toxic sludge lakes held back by earthen dams, many people in Appalachia consider this type of mining a violation of human rights.

**4. HEARTBROKEN:** Larry Gibson's life changed when Massey Energy Co. obliterated part of Kayford Mountain adjacent to his land. For more than two decades, Gibson has refused to give up his land. In 1993, Eugene Kitts, a Massey representative, told Gibson, “I don't give a damn about nobody or nothing up in that hollow. I only care about coal. You're gonna be one little green island up there.” And today, this remains the truth. Gibson was already a long-time leader in the movement to abolish the mining practice when this photo was taken in May 2005.

**5. A LEGACY:** According to *The United States of Appalachia*, the labor and environmental movements have roots in Appalachian communities that organized to defend their lands. Today, local residents carry on this tradition of protest. At an October 2007 meeting of the West Virginia Public Energy Authority in the state capital of Charleston, Judy Bonds, a mountain community activist from the Coal River Valley, testified that coal mining, “is poisoning our children.”





world briefs

**MEXICO LOOKS TO ‘BAN’ STREET KIDS**  
The Mexican government is considering revising its child protection laws to require state and municipal authorities to round up kids living or working on the streets and place them in the care of social service agencies. Authorities that fail to do so would face \$420-per-child fines, the *Christian Science Monitor* reports.

“The politicians want to create a fictitious city, where they say poverty does not exist,” said David Espinosa of the Center for Social Development, one of 60 organizations that signed a letter against the proposal, which was introduced in May. A 2004 U.N. report estimated Mexico had almost 110,000 street children.



New El Salvadoran President Mario Funes.  
PHOTO: DIARIOCRITICO.COM

**LEFTIST ASSUMES SALVADORAN PRESIDENCY**  
Promising a “peaceful revolution” to remake his country, Mario Funes was sworn in as El Salvador’s first leftist president June 1. The inaugural ceremony was attended by representatives of 74 nations including 12 heads of state. Funes won the presidency in March as the candidate of the FMLN, a former guerrilla movement that turned to electoral politics following a 13-year civil war that ended in 1992.

On May 20, Funes met for five hours with Venezuelan President Hugo Chávez and discussed expanding economic ties between the two countries.

“Only solidarity and the spirit of Latin American unity that is behind it, is going to make the transformation of our nations possible,” Funes said.

**U.S. CASUALTIES RISING AGAIN IN IRAQ**  
Twenty-five U.S. soldiers were killed in Iraq in May, the deadliest month for U.S. forces in that country since September 2008. Speaking with journalists on May 26, Army Chief of Staff George Casey said the Pentagon was prepared to maintain combat forces in Iraq until 2019.

President Barack Obama has promised that he would withdraw all combat troops by August 2010. Under a Status of Forces agreement signed last year, the United States and Iraq have agreed that all U.S. forces would leave by 2012. The United States currently has about 139,000 troops in Iraq and 52,000 in Afghanistan.

**GREEN ZONE II IN PAKISTAN**  
The United States is planning a massive diplomatic presence in Pakistan similar to its current embassy in Iraq. In a recent funding request, the Obama administration asked Congress for \$736 million to build a new U.S. embassy as well permanent housing for U.S. officials in Islamabad. The request falls just below the \$740 million cost of the U.S. embassy in Baghdad. Funding for the new embassy would represent almost 40 percent of the \$1.9 billion aid package for Pakistan that the U.S. House of Representatives recently approved.

According to the U.N. World Food Program, more than a quarter of Pakistan’s population of 173 million people suffer from malnutrition.

INTERNATIONAL



Tamil Tiger poster, Colombo. PHOTO: FLICKR.COM/AUGAPFEL

BY MAHIR ALI

Following the defeat of the Liberation Tigers of Tamil Eelam (LTTE) in May, Sri Lanka’s President Mahinda Rajapaksa claimed that his government had not spilled a drop of civilian blood in the process. Yet, notwithstanding the end of combat operations, Colombo continued to prevent international aid agencies and media from visiting the region where the final act of an uncommonly bloody drama unfolded.

The government’s claim to have rescued civilians from the clutches of the Tigers is at odds with the suspicion it seemingly continues to view all Tamils. Rajapaksa turned down an appeal from U.N. Secretary General Ban Ki-moon to allow access to camps where hundreds of thousands of Tamil civilians are believed to have been corralled, ostensibly to weed out members of the LTTE.

Despite the rebuff, Ban complimented the Sri Lankan government on its humanitarian role after visiting one of the internment camps, and the U.N. human rights council has welcomed triumph against the Tigers without uttering a word about civilian casualties. A report by the *Times* of London claims that “at least 20,000 Tamil civilians were killed in the Sri Lankan Government’s final offensive.”

Without conciliatory moves by Colombo, it is perfectly possible that the past year’s events — and particularly those of recent

months — will breed yet another generation of embittered Tamils, some of whom may well be inclined to emulate the Tigers.

The authorities may have succeeded in tackling a major symptom of the affliction, but thus far there has been no evidence of a determination to address its underlying causes. Rajapaksa may assume he has disproved all the analysts who argued that the Tamil issue could not be resolved exclusively through military means. In fact, they are almost certain to be proven right if Colombo chooses to do little more than bask in the glow of its achievement on the battlefield.

The sensible alternative would be to immediately launch a political initiative to address legitimate Tamil grievances and redressing long-standing woes, with the aim of turning the lush subtropical island into a nation where multiple religions and languages can thrive side by side.

The history of the war is generally traced back to 1983, when the Tigers took up arms in the wake of anti-Tamil pogroms by Sinhalese extremists. The conflict’s origins between the Sinhalese majority and the Tamil minority are rooted in the colonial era, however. The British, as was their wont, relied on a divide-and-rule policy to facilitate their governance. In the case of Ceylon, as the island was known until 1972, this involved privileging the more educated Tamils, thereby breeding resentment among the

Sinhalese.

The lineage of Ceylonese Tamils stretches back at least to the 10th century. Their numbers swelled in the 19th and 20th centuries with Indian Tamils who were encouraged by the British to cross the Palk Strait and labor on tea, coffee and rubber plantations. The two groups of Tamils did not have much to do with each other until they decided to unite causes in the 1980s.

Following Ceylon’s independence in 1948, the majority sought to correct the pro-Tamil colonial imbalance and, as often happens, went too far. Many Indian Tamils were repatriated to India, and many of those who remained were denied Sri Lankan citizenship for decades. In the 1950s, an effort to institute Sinhala as the official language, in place of English, was intended to exclude Tamils from government posts. It led to riots and spawned Tamil demands for autonomy and independence that remain unfulfilled more than half a century and some 100,000 dead later.

Unlike its ostensible cause, the LTTE’s methods were indefensible. I say ostensible because dedicated purveyors of violence often fall prey to a dynamic whereby the use of force becomes an end in itself. And the LTTE’s repertoire, in this context, was extensive. The Tigers pioneered the gruesome art of suicide bombing, were adept at the use of gunboats and even managed the occasional air raid. Their random acts of terror included bomb blasts on public transportation or in the marketplace, where the primary victims were Sri Lankan civilians.

The best-known victims of the LTTE’s high-profile assassinations were Sri Lankan President Ranasinghe Premadasa and former Indian Prime Minister Rajiv Gandhi. India was allegedly an early sponsor of the Tigers, but Gandhi was targeted because he dispatched to the island an Indian peacekeeping force that became embroiled in combat with the LTTE, with disastrous results.

The LTTE’s tactics undoubtedly damaged the Tamil cause. But then, the question of employing them may never have arisen except for the obduracy of the Sinhalese-dominated state. A meaningful degree of autonomy and effective anti-discrimination legislation would have sufficed, at more or less any stage of Sri Lankan history, to assuage Tamil woes.

Negotiations mediated by Norway floundered time and again, and although that track has now been rendered superfluous, Colombo could still do a world of good by initiating a process of devolution whereby Tamil aspirations could be satisfied. But that appears unlikely given the security state that has evolved in recent decades, with the ruling powers reluctant to brook criticism or dissent. Top Tiger Vellupillai Prabhakaran, who was killed last month, was often accused of being a mini-führer, but the gunslingers in Colombo were invariably willing to match him.

Sinhalese chauvinism has been bolstered in recent years with support from China and Pakistan. The Rajapaksa brothers — including Defense Secretary Gotabaya and political adviser Basil — initially sought to replenish their armories with India’s assistance. Although New Delhi was sympathetic, it could ill afford to antagonize its own Tamil population. Colombo was thereafter able to solicit help from rival Asian powers without annoying India. It is unlikely that Beijing and Islamabad have secured any long-term strategic advantage in the bargain, and they are also unlikely to push Colombo to be conciliatory.

But if Mahinda Rajapaksa and his siblings refuse to remedy past injustices and bury decades of disaffection, chances are that history will view their moment of triumph as a Pyrrhic victory.

*Mahir Ali is a Pakistani-born journalist based in Australia.*



# Hudson River Clean-up

Continued from page 3

Manna Jo Greene, environmental director for Hudson River Sloop Clearwater, said she shares many of the concerns raised by the Sierra Club in Texas. In 2001, Clearwater organization, in its official public comment on the cleanup urged the EPA to consider options besides sending the waste to a landfill. Clearwater, however, views the start of the dredging of the Hudson as a major victory over General Electric. “It is essential the PCBs be taken out of the river system and be contained,” Greene said.

But Pryor and Carman are concerned that, once in Texas, the PCBs may end up in another body of water: the Ogallala aquifer, the largest aquifer in North America.

In 2007, the Texas Commission on Environmental Quality (TCEQ) looked into the geology of the Andrews hazardous waste site when the landowner, Waste Control Specialists (WCS), applied for a permit to build a radioactive waste dump. The technical staff of the commission unanimously opposed granting WCS the permit. Overruling his staff, then-TCEQ Executive Director Glenn

Shankle approved the permit. Shankle today works as a lobbyist for WCS.

“The site was unsuitable as a radioactive waste disposal facility primarily because of the poor geology,” said Glen Lewis, who was one of three members of the TCEQ to resign in protest after Shankle issued the permit. “This proposed site is where one edge of the Ogallala pinches out. It is at the edge of the aquifer, but geologically considered to be over the aquifer.”

Neil Carman at the Sierra Club says radioactive or PCB contamination of the aquifer could have disastrous consequences.

General Electric defended the Andrews site when contacted by *The Independent*, noting that the EPA, U.S. Department of Energy and the U.S. Army Corps of Engineers already use the facility.

As for Peggy Pryor, she feels the residents of Andrews are being taken advantage of. “I just don’t think citizens here are aware of what PCBs are,” Pryor said. “If they can resolve this there at GE, why aren’t they doing it? Why bring it here? The people there know what they are doing, it is the reason they want to bring it here.”



**CLEARING THE WATER:** The Hudson River Sloop Clearwater is one of the local environmental groups that fought for decades to force General Electric to clean up the Hudson River. PHOTO: FLICKR.COM/ JOSEPHA

# Peace Pentagon Dilemma

Continued from page 3

The Muste Institute’s board originally favored selling its slice of NoHo real estate for millions and using the proceeds to find a new home for it and its tenants but has since commissioned a comprehensive structural survey that will cost at least \$75,000. “The decision [to sell was] made too hastily,” says Steve Ault, a member of Friends of 339, a group that has pushed the Muste Institute to reconsider selling the building. Ault says that staying in the building would be a “superior option” if its problems could be identified and fixed at a reasonable cost.

In the past, according to the Muste Institute’s Co-Director Jane Guskin, estimates for the cost of repairs have run between \$1 million and \$5 million, but the current survey will provide a more accurate price tag.

One option the Friends of 339 group favors is borrowing money to make the necessary repairs.

Another option would be a fundraising campaign to make the repairs, although it’s unlikely that effort would come close to raising enough money to cover the costs. Murray Rosenblith, former executive director of the A.J. Muste Institute, told *The Independent* last year. “It would be a real stress for us to raise \$2 million.” If the repair option wins out, it’s possible that the building would have to be emptied, displac-

ing current tenants for a time.

“To be displaced for a while would be difficult, but I think that it’s doable. It’s totally worth it in the long-term goal of keeping this space,” said Paper Tiger TV’s Byck, who is also a part of Friends of 339. Even as the board is waiting on the completion of the survey to make a final decision, the building was listed on the market in mid-May with two brokerage firms, one to look at lease offers for the ground floor retail space and another to look at selling the whole building.

According to the New York City Department of Finance website, 339 Lafayette’s assessed value is \$1.48 million (down from \$3.51 million in the 2007-2008 tax year). But its actual sale value could be far greater, given its corner location in NoHo directly above a 6 train subway stop.

Peter Muste, the grandson of A.J. Muste and the current chair of the institute’s board, said that at this point, he is not leaning toward selling or repairing, but wants any decision to take into account the institute’s long-term future.

“I am also concerned that we not take financial risks that could put the institute or its programs in jeopardy,” Muste said. “At this time, none of the options has a clear advantage [and] that’s why we’re exploring them all thoroughly.”

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### REVIEWS

## Re-Forging the Working Class

*Labor Law For The Rank And Filer:  
Building Solidarity While Staying Clear  
Of The Law*

By STAUGHTON LYND  
AND DANIEL GROSS  
PM PRESS, REISSUED 2008

The popular wisdom on the Left and in the labor movement is that the National Labor Relations Act (NLRA), passed in 1935, was a great boon for workers. The passage of the NLRA, or Wagner Act, with its provisions that made it legal to organize, join unions, bargain collectively and strike, is commonly portrayed as a huge victory that workers and unions unanimously supported. The true story of this law, however, is more complex.

The Industrial Workers of the World (IWW), the Communist Party, the American Civil Liberties Union and other organizations opposed the NLRA, as did prominent labor radicals like A.J. Muste. More important, so did many rank-and-file workers. They were concerned the NLRA was that it would curtail many of the initiatives of the rank and file, and that it constituted government ratification of a status quo heavily weighted toward business. To a large extent, what they foretold has come to pass.

In a new, expanded edition of *Labor Law For The Rank and Filer: Building Solidarity While Staying Clear of the Law*, Staughton Lynd and Daniel Gross examine the NLRA and other major laws that impact workers: how and why they came into being, the ways they've been interpreted (and often misinterpreted), and how laws with positive aspects like the NLRA are actually double-edged.

The authors don't pit working class activity and the law against one another, but rather suggest how workers can utilize the law to supplement the former. In doing so, they point to important ways that workers can take the lead in re-building a real movement.

Given the dead end at which the union part of the labor movement currently finds itself, the re-issue of *Labor Law for the Rank and Filer* is especially timely. Whole forests of trees have given their lives to the creation of books and papers about labor's crisis, yet working class self-activity barely registers in the discussion. We cannot expect labor executives and their allies to lead the charge to, say, eliminate no-strike clauses when they're as hostile to wildcat work stoppages as any boss.

It is precisely around this kind of issue that rank and filers need to strategize, and it is to discussions of these issues that Lynd and Gross contribute so much. Activist, attorney and historian Lynd has been telling the rank-and-filer's story and explicating "from the bottom up" strategies for many years. He authored the first edition of *Labor Law For The Rank and Filer* in 1978, which was printed by Singlejack Books, a small publishing house founded by longshore workers Stan Weir and Robert Miles. The book's publication cost Lynd his job at a prominent Ohio law firm that represented unions. Gross, a member of the IWW, plays a prominent role in the Starbucks Workers Campaign and founded Brandworkers International.

The new edition contains extensive discussion of solidarity unionism, a form of labor organizing in which workers, whether members of a union or not, do their own strategizing. The authors present many scenarios in which workers, rather than consulting a lawyer, can legally resist employers. They also cite actions that can be taken by workers, when necessary, without the consent of the union.

The recent occupation of the Republic Windows and Doors plant in Chicago by members of the United Electrical, Radio and Machine Workers of America is a powerful reminder of another point Lynd and Gross make: workers can push the limits of the law and win. Occupying a factory has been illegal for 70 years, yet none of the Republic workers was arrested, let alone prosecuted. The key is sticking together and winning the support of the local community.

Another story that Lynd and Gross tell is of organizing efforts in workplaces where no majority or exclusive representative exists. The goal is not to collect membership cards and affiliate with a national union, but to stand together to better control the terms of work. As a member of one such organization says, "There is no point on which we cannot enforce concessions and some sort of de facto bargaining if we are strong enough."

This is the spirit that runs through *Labor Law For the Rank and Filer*, and it is the spirit that can galvanize a new working class movement. There is rich history for us to mine and many currents surging below the surface, largely out of sight, but capable of bursting forth at any time. Like good organizers, Lynd and Gross present insights that are extremely valuable for both the short-term and the long run.

—ANDY PIASCIK



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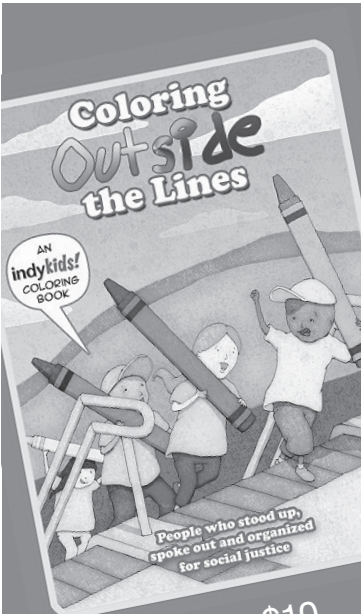
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REVIEWS

# Muslim In and Out

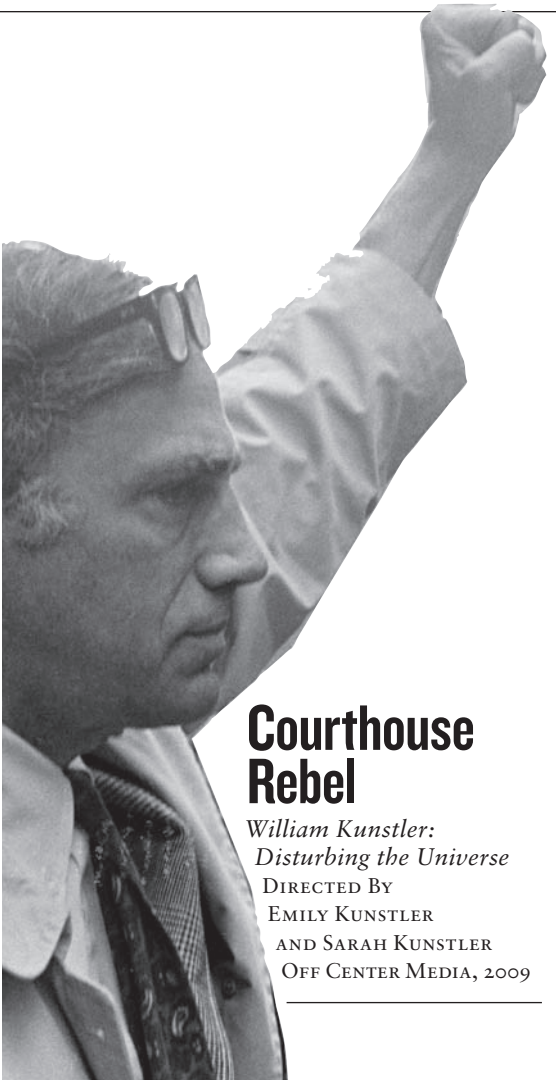
*The Islamist: Why I Became an Islamic Fundamentalist, What I Saw Inside, and Why I Left*  
By ED HUSAIN  
PENGUIN BOOKS, 2009

When Ed Husain’s *The Islamist* first appeared in British bookstores in 2007, fundamentalist Muslims condemned their former comrade-turned-critic, calling him a traitor. This is not surprising, since Husain presents the groups he was involved with, including the Young Muslim Organization (YMO) and Hizb ut-Tahrir, in less than flattering terms.

At the same time, Husain has resisted becoming the darling of the Right. He is openly critical of Israel and Israeli Foreign Minister Avigdor Lieberman and has criticized Western imperialism, the Iraq War and the push for more troops in Afghanistan. As the founder of the Quilliam Foundation, a year-old think tank named for the man who opened Britain’s first mosque in 1889, he hopes to unite those who oppose religious violence and extremism.

*The Islamist* is part memoir, part political tract and part explication of Islam. It begins in 1975, with Husain’s birth into a middle-class London family. His immigrant parents were largely assimilated, maintaining their faith while simultaneously participating in civic life. Husain was sent to a public elementary school where he recalls being treated fairly. By junior high, however, gangs had become prominent and Husain switched schools; his education now included exposure to religion teachers pushing “the establishment of Allah’s law in Allah’s land.”

Husain found this concept thrilling. For one, it enraged his parents. For another, it allowed him to plug into a ready-made community, something all teenagers crave. Within months, he joined the Young



## Courthouse Rebel

William Kunstler:  
*Disturbing the Universe*  
DIRECTED BY  
EMILY KUNSTLER  
AND SARAH KUNSTLER  
OFF CENTER MEDIA, 2009

With unruly hair and a fist held high, the image of William Moses Kunstler is iconic. His career as a radical lawyer spanned decades, movements and the entire spectrum of public opinion. Kunstler was a civil rights litigator, a director of the American Civil Liberties Union and one of the founders of the Center for Constitutional Rights (CCR), but he is best known for his role as defense attorney for controversial clients, from the Chicago 8, antiwar protesters at the 1968 Democratic National Convention, to the blind Egyptian cleric convicted of masterminding the 1993 bombing of the World Trade Center.

*Disturbing the Universe* is an exploration by Emily and Sarah Kunstler, daughters from Kunstler’s second marriage. Born in the late 1970s to a father in his late 50s, Emily and Sarah witnessed less than 20 years of his dramatic life as a public figure before his death in 1995. The film is not only a personal tale, but an investigative biography of the life, career and history that preceded their births.

Kunstler, a passionate activist who thrived in the spotlight and described the Supreme Court as the “World Series for lawyers,” was at the center of many battles in the second half of the 20th century. The archival footage in *Disturbing the Universe* takes us to diverse destinations, including lunch counter sit-ins in the segregated South; the 1971 Attica uprising, when prisoners took over the jail to demand humane treatment; and the 1973 occupation of Wounded Knee by members of the American Indian Movement (AIM).

Muslim Organization and began to learn about community organizing, from leafleting to public speaking. He was a natural — charismatic, devoted and passionate.

While his studies suffered, he didn’t care, and he became an outspoken promoter of political Islam. By age 16 his entire social circle was Islamist, convinced that Islam trumped other faiths. “Partial Muslims,” like his parents, were continually derided.

He began reading fundamentalists like Syed Qutb and by the time he enrolled in Tower Hamlets College was calling Islam “the final solution,” oblivious to the phrase’s Nazi origins. He encouraged other students to practice “true Islam,” publicly berating women who failed to dress modestly. “Like me,” he writes, “most of the students at college had no real bond with mainstream Britain ... Islamism provided us with a purpose and a

place in life.”

By the mid-1990s, splits in YMO catapulted Husain into Hizb ut-Tahrir, a group led by Omar Bakri. Bakri spoke about the murder of Bosnians and hyped Husain up on the idea of uniting Muslim armies under a single state, the caliphate. Democracy, Bakri told Husain, was *haram*, forbidden, because it was human-crafted. “Only Allah can rule,” Bakri counseled.

Jihad, the caliphate, Sharia Law — indeed, Bakri’s entire oppositional stance — captivated Husain. Then, reality bit. A fight between a Hizb member and someone considered a “Christian nigger” ended with the latter’s death. The murder shook Husain. “I felt unremitting guilt,” he explains, suddenly understanding attacks on “infidels” as the logical outcome of Hizb philosophy.

As he slowly extricated himself from the group, he became immersed in classical Islam and was shaken even further. The Prophet

Mohammed’s words, “Beware of extremism in religion; for it was extremism in religion that destroyed those who went before you,” haunted him and prompted him to study further. Coupled with 9/11 and the 2005 London subway bombings, this study eventually led Husain to recant his former ideology and get funding for Quilliam.

Husain’s analysis and personal example deserve a fair hearing both within and outside the Muslim community. His non-literal interpretation of scripture, his belief in women’s equality, and his rejection of violence are wise responses to Islamist extremism. While I disagree with his push to ban the YMO and the Hizb — a position more likely to increase their appeal than stifle it — *The Islamist* is both fascinating and instructive.

—ELEANOR J. BADER



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Contemporary interviews offer personal accounts by giants of the U.S. human rights movement such as Black Panther Party cofounder Bobby Seale, AIM cofounder Clyde Bellecourt, peace activist Father Daniel Berrigan and CCR President Michael Ratner. Even more evocative are the interviews with unknown figures whose lives were profoundly affected by Kunstler. These include Jean Fritz, a juror during the Chicago 8 trial who became politicized by its absurdity; Michael Smith, an Attica guard held hostage by prisoners and shot five times by the state police in the ensuing massacre, and Paul Rudd, a Black friend on whose behalf Kunstler waged a court battle so that he and his wife could move into an all-white apartment complex in Westchester County in 1962.

Through Emily’s narration, the viewer begins to understand the film as a therapeutic journey for the filmmakers, and there is a thrill in being allowed to share in their discovery. We watch the transition from home videos where the girls dance around as children, introducing their imaginary audience to “the real William M. Kunstler,” to footage of the three of them engaged in a televised debate on NY1 where the daughters, as adolescents, swear they will never be lawyers (Sarah now is one).

In early childhood, understanding their father’s work is simple: “His clients were fighting to save the world and he was fighting to keep them out of jail.” Soon we experience the emerging dissonance between the heroic tales from the civil rights era and

the work Kunstler is doing as Emily and Sarah are growing up, defending accused Mafia dons, rapists, cop killers and terrorists. It’s easy to understand why “Dad’s clients gave us nightmares.” Intensifying this is the high profile of Kunstler and those he represents. Emily tells us how she walked past her home without stopping when there were protesters outside and all packages were opened by her father alone in the basement. As teenagers, the sisters agree their father has “completely lost his mind.” Yet the present-day voice seems to have achieved a healthy resolution: the respectful understanding of adult children appreciating the simple fact that a parent is human.

*Disturbing the Universe* is a well-edited biographical collage in the concrete style of Emily and Sarah Kunstler’s earlier documentary work including *Tulia, Texas: Scenes from the Drug War*. Its only imaginative gesture is likening Kunstler to an animated image of Michelangelo’s David. Yet little imagination is needed to augment the legacy of the man or the genuine filial emotion of the film, which maintains an engaging symmetry between politico-historical narrative and personal divulgence. It represents a well-crafted and intimate but not uncritical tribute to both a father and a legend of the Left.

—SOOZY DUNCAN

BAM Rose Cinemas will host two screenings of *Disturbing the Universe* (featuring Q&A with Emily and Sarah Kunstler) on June 20 and June 25. For more information, visit [bam.org](http://bam.org).

# Colonization TV Reality

Expedition Africa  
HISTORY  
SUNDAYS, 10PM EST

The tropes of the white man as a rugged explorer and Africa as an exotic land that man recovers while recovering himself are now a TV series.

History — formerly known as The History Channel — has just premiered a new reality show, *Expedition Africa*, which presents these old themes in a new way.

Four enthusiastic and muscled bodies, festooned with dirty khakis and name-brand hiking gear, sail to Tanzania for a long wilderness appreciation trip conceived as a historical expedition. The nature travel is steeped in cultural myths and product placements including Subaru Outback to market a reality show as a type of fantasy.

(The channel is owned by Hearst, General Electric and the Disney Corporation.)

The land the explorers traverse is portrayed in a way that emphasizes heterosexual masculinity pitted against nature. Africa, reason the explorers, is a place to be underestimated at their peril. The lurking camera tracks that sentiment for menacing snakes, insects and signs of infectious disease. The music reinforces the visuals: Everything is full of danger.

But fear of Africa as a place that can kill these people, or at the very least contaminate them, rubs against an Africa equally dramatized as an object of desire. Shots of one lethal reptile after another alternate with aerial glides over vast wilderness areas, ignoring the on-the-ground com-



plexities that might mar the large romantic compositions.

The high points open up Africa’s supposedly mythical naturalness. Endowed with the moral and spiritual symbolism of being named woman (Mother Africa), the territory is engendered as a proving ground, a place that can counter individual imperfections of character and somehow effect deep personal transformations. Overlaid with sentimental music, the nature idolatry reveals that it is not only the explorers who have a love affair with this place; we’re all in a tryst with Momma.

In addition to using simplistic mythologies of femininity and wilderness to represent Africa, the series gives a nod toward history. The explorers’ persistent exertions and close-ups of their flinching faces are supposed to signify they are risking death for television. To give the adventure even more drama the

explorers are supposedly tracing David Livingstone’s efforts to map the natural resources of the region in the 1860s for the United Kingdom and journalist Henry Morton Stanley’s march to find him.

Resurrecting these historic figures and following their 19th-century route, *Expedition Africa* is unapologetically presenting its story as a progressive march of human nature. This style of representation assumes “natural” and “human” laws are a given, which, in turn, order colonial domination and an aesthetics of survival based on biology.

But continuity is more accurately navigated through the ongoing investment in the image of commerce as a humanitarian impulse and the unpacking of genes to naturalize and individualize what actually serves a much larger structure of power.

—MEGAN BROADWELL

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READING: **FBI WAR ON TUPAC.** Author John Potash will present more than 12 years of accumulated evidence that the FBI orchestrated the murder of rap star Tupac Shakur due to his leftist political work with his Black Panther extended family.

WED JUN 17, 7pm • \$5 Sugg  
READING: **BLOOD AND POLITICS.** Author Leonard Zeskind will read from his book, *Blood and Politics: The History of the White Nationalist Movement from the Margins to the Mainstream*, which is an account of the origins, modes of operation, collaborations and internecine disputes of white supremacist, neo-Nazi, anti-immigrant and anti-Semitic groups in America.

MON JUNE 15, 7pm • \$5 Sugg  
READING: **CRISIS.** Author Mitchell Gold reads from *Crisis: 40 Stories Revealing the Personal, Social, and Religious Pain and Trauma of Growing up Gay in America*. She will discuss the alarmingly high rate of suicides among gay teens and lead a discussion about endurance, hope and survival.

SAT JUN 20, 7pm • \$5 Sugg  
DISCUSSION: **WAR, WHAT IS IT GOOD FOR? ABSOLUTELY NOTHING!** The Ya-Ya Network will discuss how youth, many of color, are being targeted and recruited to join the military based on false promises. Join us for this discussion and mini Counter-Recruitment 101 workshop.

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June 17th at 6:30pm \*

June 18th at 9:00pm \*

June 25th at 4:00pm \*

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by Fabrizio Lazzaretti and Paolo Santolini

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affected by conflict that illustrates how hope prevails  
in even the most desperate of settings.*

June 19th at 9:15pm \*

June 20th at 4:00pm \*

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by Masha Novikova

*A unique take on Putin's Russia as seen through  
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June 15th at 6:30pm, special guest Garry Kasparov present

June 17th at 8:45pm

